

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
July 7, 2009

The City Council convened in Regular Session on Tuesday, July 7, 2009, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Larry Muench presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: Dave Beckering. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #47000

A motion was made by BOB KNEEMILLER to excuse the absence of Councilmember Dave Beckering. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS/ADMINISTRATIVE HEARING

The President of the Council Larry Muench announced that the following Public Hearings and Administrative Hearing would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

Public Hearings

1. Case No. Z-10-09. (Gerald R. and L. Jeanne Douglas). An application to rezone a parcel of land in the process of annexing into the City. The property is located at 5 Berkshire Drive. The applicant is requesting to rezone the property from the County R-1E Single-Family Residential to the City R-1E Single Family Residential. The property, located at the southwest end of Berkshire Drive, contains approximately 0.50 acres. The subject property will be located in Ward 8 upon annexation. ***(Council Bill 9967)***
2. Case No. Z-11-09. (Edward Rose Properties, Inc.). An application to rezone two tracts of land located at the northern corner of the intersection of Friedens Road, Arena Parkway and South River Road from the R-1E Single-Family Residential District and PD-MU Planned Development – Multi-Use to the R-3A Multiple Family Residential District. The approx. fourteen (14.03) acre R-1E parcel is known as 1875 South River Road and the PD-MU zoned property, immediately adjacent to the west, is an approx. six (5.93) acre portion of the Talbridge Planned Development. Both tracts of land are in Ward 3. ***(Tabled at Planning & Zoning; therefore the Public Hearing should be tabled until August 4, 2009)***
3. Case No. Z-12-09. (Edward Rose Properties, Inc.). An application to rezone two tracts of land located at the northern corner of the intersection of Friedens Road, Arena Parkway and South River Road from the R-3A Multiple Family Residential District to the PD-R Planned Development-Residential District. In conjunction with the rezoning, the Commission will consider a preliminary development plan for the property. The preliminary development plan proposes the construction of thirteen (13) multi-family structures with a total of two-hundred fifty-two (252)

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- units. Associated parking, clubhouse and outdoor recreation are also depicted in the plan. The subject parcels total approximately twenty (19.96) acres and are located in Ward 3. ***(Tabled at Planning & Zoning; therefore the Public Hearing should be tabled until August 4, 2009)***
4. **Case No. CU-19-09.** (Drury Displays). The applicant is requesting approval of a conditional use permit from Section 156.743 (Billboards) within the C-3 Highway Business District for the installation of an electronic billboard on an existing billboard support structure at 2737 West Clay Street. The subject property is approximately 2.0 acres and is located in Ward 9 ***(RCA Attached)***
 5. **Case No. CU-20-09.** (Anthony Iasello) An application for a Conditional Use Permit from §156.036(D)(1)(a) for In-Vehicle Sales within the I-2 Heavy Industrial District, specifically to operate a drive-thru window for a food preparation (Pretzel Stop) business at 1721 Ford Lane. The subject property is 2.81 acres and is located in Ward 3 ***(RCA Attached)***
 6. **Case No. CU-21-09.** (Steve and Donna Pundmann) An application for a Conditional Use Permit for temporary retail sales within the C-2 General Business and C-3 Highway Business Districts, specifically to operate a barbecue restaurant/business from a temporary trailer on an existing developed site at 1100 and 1200 South Duchesne Drive. The subject properties are 1.77 and 2.29 acres, respectively and are located in Ward 9 ***(RCA Attached)***
 7. **Case No. CU-22-09.** (Lisa Garvey) An application for a Conditional Use Permit from §156.033(C)(1)(g) for Secondhand Sales within the C-2 General Business District, specifically to operate a consignment and retail sales store at #1 Garvey Parkway. The subject property is 1.25 acres and is located in Ward 4 ***(RCA Attached)***
 8. **Case No. DR-05-09.** An application to amend Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, by amending Section 156.820(C) Clothing Drop Boxes to include the use of wood as a permitted construction material ***(Council Bill 9968)***

Administrative Hearing

Administrative hearing to consider an appeal of a decision of the Landmarks Board to deny a request to install a wall-mounted air conditioner and heating unit at 819 South Main Street Hearings ***(RCA Attached)***

RESOLUTIONS/AWARDS/PROCLAMATIONS

Recognition of Retirement of Linda Callaway from the Community Development Department

The City Council recognized the recent retirement of Linda Callaway from the Community Development Department.

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A Resolution Supporting the St. Charles County Council's Action Relative to the Federal Communications Commission Mandate for Emergency Communications Systems
(Sponsors: Michael Klinghammer and Laurie Feldman)

City Clerk Marilyn K. McCoy read the Resolution in its entirety. A roll call vote was taken, with the following results:

Passed "Aye": Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009 and is known as **Resolution R09-13**

PUBLIC COMMENT RELATIVE TO CITY ISSUES

John Nations, 1 Metropolitan Square, Suite 2600, St. Louis, Mo., appeared on behalf of MiTek Industries, and spoke in favor of the proposed Chapter 100 Tax Abatement.

BILLS FOR FINAL PASSAGE

Bill 9956

An Ordinance Approving the Record Plat for Orchard Farm School District Highway 94, a Subdivision of the City of Saint Charles, Missouri (Sponsor: Richard Veit)

Director of Community Development Bruce Evans responded to an inquiry of Councilmember Erv Ermeling that the finished floor is required to be one foot out of the flood plain; however, the site is high enough that little elevation is required to meet this provision.

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-123**

Bill 9957

An Ordinance Authorizing a Second Amendment to the Cooperative Agreement Among the City of St. Charles, The St. Charles Riverfront Transportation Development District, and The St. Charles Riverfront Community Improvement District for the Construction of the Right Turn Lane From Northbound Fifth Street to Eastbound Ameristar Boulevard (Sponsor: Larry Muench)

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-124**

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Bill 9958

An Ordinance Authorizing Supplemental Agreement #2 with St. Charles Engineering and Surveying, Inc. for Design of the Diekamp Lane Reconstruction Project in an Amount of \$12,800.00, for a Total Contract Not to Exceed \$102,300.00 (*Sponsor. Bob Kneemiller*)

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-125**

Bill 9959

An Ordinance Amending Schedule II, Subsection (C) (10) of Chapter 78 of the Code of Ordinances of the City of St. Charles, Missouri by Repealing Ordinance 05-04 Which Established a 15-Minute Loading Zone on the South Side of Waverly Street From a Point 18 Feet East of Lindenwood Avenue East 72 Feet (*Sponsors: Erv Ermeling, Larry Muench, Michael Klinghammer, Jerry Reese, Ron Stivison*)

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

“Nay”: None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-126**

Bill 9960

An Ordinance Designating the Lt. Robert E. Lee Floating Restaurant as a Local Historic Landmark *(Sponsor: Larry Muench)*

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

“Nay”: None

Absent: Beckering

Returned Unsigned by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-127**

Bill 9961

An Ordinance Approving the Preliminary Development Plan for the Lt. Robert E. Lee by Amending the PD-RF Planned Development-Riverfront District by Allowing the Floating Restaurant to Operate at 1000 Riverside Drive; and Authorizing a Development Agreement *(Sponsor: Larry Muench)*

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-128**

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Bill 9962

An Ordinance Authorizing an Agreement Between the City of St. Charles and CPDC Services, Inc. (d/b/a Community Program Development Corporation) to Provide Acquisition and Program Management Services to Assist the City in the Development of the Neighborhood Stabilization Program *(Sponsor: Larry Muench)*

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-129**

Bill 9963

An Ordinance to Authorize Application with the Missouri Department of Transportation, Highway Safety Division, for the Local Law Enforcement Grant Program for the Period October 1, 2009 through September 30, 2010 for Three Grants; Authorize Acceptance of Grant Funds; and Authorize Execution of All Necessary Documents and Performance of all Acts to Accept and Receive the Grants *(Sponsor: Larry Muench)*

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-130**

Bill 9964

An Ordinance Authorizing the Filing of an Application with the U.S. Department of Justice for the Justice Assistance Grant Program (JAG) FY 2009; and to Sign all Necessary Documents to Accept and Receive Said Grant *(Sponsor: Larry Muench)*

Passed "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller

"Nay": None

Absent: Beckering

Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-131**

Bill 9965

An Ordinance Authorizing a Contract with Frazer, LTD for the Purchase of One (1) New Type I Ambulance for the Fire Department in an Amount Not to Exceed \$132,275.00 *(Sponsor: Larry Muench)*

Fire Chief Ernie Rhodes responded to an inquiry of Councilmember Bob Kneemiller that only one bid was received because of the unique system of a diesel generator fueling the box. Councilmember Bob Kneemiller requested that in the event only one bid is received the Staff explain in the RCA the reason that only one bid was received.

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Passed “Aye”: Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller
 “Nay”: None
 Absent: Beckering
Approved by the Honorable Mayor on July 8, 2009, and is known as **Ordinance 09-132**

CLOSED SESSION AND RECONVENE IN OPEN SESSION

A motion was made by MICHAEL KLINGHAMMER to recess the Regular Council Meeting into Closed Session relative to legal actions, causes of action, or litigation (RSMo. 610.021.1), leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2), hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3), and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12); at 8:00 p.m. LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: “Aye”: Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller. “Nay”: None. Absent: Beckering. Motion passed. The City Council reconvened in Open Session at 8:15 p.m. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Larry Muench, presiding, and the Honorable Mayor Patricia M. York, and Members of the City Council present as follows: Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Jerry Reese, Ron Stivison, Richard Veit, and Michael Weller. Absent: Dave Beckering.

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9966

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by Gerald R. Douglas and L. Jeanne Douglas (5 Berkshire Drive) (*Sponsor: Michael Klinghammer*)

Bill 9967

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 5 Berkshire Drive (*Sponsor: Michael Klinghammer*)

Bill 9968

An Ordinance Amending Chapter 156 of the Code of Ordinances of the City of St. Charles, Missouri by Amending Section 156.820 Pertaining to Clothing Drop Boxes (*Sponsor: Laurie Feldman*)

Director of Community Development Bruce Evans responded to an inquiry of Councilmember Bob Kneemiller that the revision in Section 156.820 is to add a provision allowing wooden clothing drop boxes.

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Bill 9969

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Bainbridge/Barthel Sidewalk Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsor: Richard Veit*)

Bill 9970

An Ordinance Authorizing the Mayor and City Clerk to Execute and File the Substantial Amendment to the Consolidated Plan 2008 Action Plan with the U.S. Department of Housing and Urban Development for Receipt and Use of Community Development Block Grant Recovery Funds (CDBG-R) (*Sponsor: Laurie Feldman*)

Bill 9971

An Ordinance Authorizing an Amendment to the 2009 Consolidated Plan and Annual Action Plan with the U.S. Department of Housing and Urban Development for the Use of Community Development Block Grant Funds for Fiscal Year 2009 (*Sponsors: Larry Muench and Laurie Feldman*)

Bill 9972

An Ordinance Authorizing a Mooring Lease Agreement By and Between the City of St. Charles and Lt. Robert E. Lee, L.L.C. for the Operation of a Floating Restaurant and Entertainment Facility on the Vessel Known as the Lt. Robert E. Lee Operating its Services from the Dock Located at 1000 Riverside Drive (*Sponsor: Larry Muench*)

ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION

Discussion Relative to Allocating Funding from Council Directives for a Trailer for the St. Charles Neighborhood Preservation Partnership

Councilmember Laurie Feldman explained the request of the St. Charles Neighborhood Preservation Partnership for purchase of a trailer; and requested consideration of the Council. A motion was made by LAURIE FELDMAN to approve the funding out of Council Directives for the purchase of a trailer for the St. Charles Neighborhood Preservation Partnership in an amount not to exceed \$7,000.00. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and Ermeling. "Nay": None. Absent: Beckering. Motion passed.

File #47158

CONSENT AGENDA

Councilmember Bob Kneemiller removed *Item 9.D.4 Authorization to Negotiate Engineering Services Contract with Crawford, Bunte, Brammeier to Design the Old Highway 94 South Right Turn Lane Project* from the Consent Agenda. A motion was made by LAURIE FELDMAN to receive and approve the balance of the Consent Agenda. BOB KNEEMILLER seconded the motion. A roll call vote was taken, with the following results: "Aye": Klinghammer,

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Kneemiller, Muench, Reese, Stivison, Veit, Weller, Ermeling, and Feldman. "Nay": None.
Absent: Beckering. Motion passed.

A. Approval of Council Minutes

1. Regular Council Meeting of June 2, 2009
2. Public Hearing of June 2, 2009
File #47159
3. Administrative Hearing of June 2, 2009
File #47160
4. Special Council Meeting of June 9, 2009
5. Regular Council Meeting of June 16, 2009
6. Public Hearing of June 16, 2009
File #47161
7. Administrative Hearing of June 16, 2009
File #47162

B. Approval of Council Committee Reports

1. Approval of Council Committee Minutes
 - a. Administration/Council Retreat of April 28, 2009
File #47016
 - b. Street Committee Meeting of May 12, 2009
A motion was made by MICHAEL KLINGHAMMER to amend the minutes as noted in Section 9.B.2.b.v. on Page 177 of the record. ERV ERMELING seconded the motion. All voted in favor, motion passed.

- c. Technology Committee Meeting of June 8, 2009
File #47097
- d. Street Committee Meeting of June 9, 2009
File #47026
- e. Council Work Session of June 9, 2009
File #47016
- f. Technology Committee Meeting of June 15, 2009
File #47097
- g. Council Work Session of June 16, 2009
File #47016

2. Approval of Council Committee Motions/Actions/Recommendations

- a. Administration/Council Retreat of April 28, 2009 (*None*)
- b. Street Committee Meeting of May 12, 2009
 - i. Motion for Staff to Coordinate with the Wilshire Valley Home Owners Association to Implement Option #1 with the Additional Trees as Requested by the Home Owners

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- ii. Motion to Hold the Takeover of Old Highway 94 Between Zumbahl & Pralle until the June Meeting; and Request for Clarification from Councilmember Kneemiller as to the Request to Takeover the Road
 - iii. Motion to Have Staff Contact the Consultant Relative to Diekamp Lane to Advise that this Project will Consist of Improvements Only Within the Existing ROW Unless there is 100% Participation on the Donation of ROW by the Property Owners
 - iv. Motion to Approve Staff's Recommendation to Begin Negotiations with the Property Owner for the Early Buy-Out of the Property Located at 2136 First Capitol Drive for the North Fairgrounds Phase II Project; and Request for John Knoll to Contact the Property Owner for Assistance in Relocating
 - v. Motion to Deny the Requests for Stop Sign Locations at Hunters Ridge & Buckskin Path, Perry Street & Oak Avenue, Third Street & Montgomery Street, and West Clark Street & Rose Drive; and to Discontinue Discussion of Stop Sign Locations on Future Meetings

A motion was made by MICHAEL KLINGHAMMER to amend the motion to correctly reflect the actions of the Street Committee, as follows: Motion to Retain the Stop Signs at the following locations: Hunters Ridge & Buckskin Path, Perry Street & Oak Avenue, Third Street & Montgomery Street, and West Clark Street & Rose Drive; and to Discontinue Discussion Relative to Removal of Existing Stop Signs at Future Meetings. ERV ERMELING seconded the motion. All voted in favor, motion passed.

- c. Technology Committee Meeting of June 8, 2009 *(None)*
- d. Street Committee Meeting of June 9, 2009
 - i. Motion that an Ordinance be Presented to Repeal the Loading Zone at 1600 Waverly Street (St. Charles High School)
 - ii. Motion to Deny the Request for Sidewalk Variance at 2031 North Fifth Street
- e. Council Work Session of June 9, 2009 *(None)*
- f. Technology Committee Meeting of June 15, 2009 *(None)*
- g. Council Work Session of June 16, 2009 *(None)*

C. Receipt of Reports from Boards, Commissions or Committees

- 1. Landmarks Board Meeting of May 11, 2009
- 2. Landmarks Board Meeting of June 8, 2009

File #47042

File #47042

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| File #47113 | 3. | Veterans Commission Meeting of May 11, 2009 |
| File #47066 | 4. | Senior Citizen Advisory Commission Meeting of May 19, 2009 |
| File #47041 | 5. | Board of Adjustment Meeting of June 8, 2009 |
| File #47163 | 6. | Citizens with Disabilities Advisory Board Meeting of February 25, 2009 |
| File #47163 | 7. | Citizens with Disabilities Advisory Board Meeting of March 25, 2009 |
| | 8. | July 4 Celebration Committee Riverfest 2009 of June 10, 2009 |
| | a. | Motion to Allocate \$160 for Flag Poles |
| | b. | Motion to Establish Dates for the 2010 Riverfest as July 2nd, 3rd, and 4 th |
| File #47098 | 9. | Oktoberfest Committee Meeting of May 26, 2009 |
| | a. | Motion to Send Deposits to the Bands for Their Commitment to the Event |
| | b. | Motion to Revise and Reduce the Crafter Fees to \$250 Across the Board |
| File #47112 | 10. | Oktoberfest Committee Meeting of June 15, 2009 |
| | a. | Motion to Approve the Following Expenses: |
| | i. | \$24.55 – Pumpkin Seeds |
| | ii. | \$78.40 – Fertilizer for Seeds |
| | iii. | \$30.00 for Fuel to Plant Seeds |
| | iv. | \$26.27 for Postage of Vendor Applications |
| | v. | \$12.76 for Printing of Sample Brochures |
| | b. | Motion that Summit will be the Sole Beer Distributor for 2009 Event |
| File #47112 | | |
| | D. | Receipt of Reports of the Director of Administration |
| | 1. | Request Enhanced Educational Tuition Reimbursement for All Non-Union Full-Time Employees to be Consistent with the Benefit Negotiated with the City's Three (3) Labor Unions |
| File #47164 | | |
| File #47004 | 2. | Notice of Emergency Purchase |

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3. Authorization to Negotiate an Engineering Services Contract With George Butler Associates, Inc for the Design of the McClay and Hackmann Project

File #47165

4. Authorization to Negotiate Engineering Services Contract with Crawford, Bunte, Brammeier to Design the Old Highway 94 South Right Turn Lane Project

REMOVED FROM THE CONSENT AGENDA

5. Request for Council Authorization to Fill the Vacant Position of Tour Guide in the Convention & Visitors Bureau

File #47166

6. Authorization of Interim Pay for Rick Brown while he serves as Acting Human Resources Director.

File #47167

E. Approval of Contracts and Easements from \$30,001 - \$99,999

1. Contract with Keystone Staffing Resources to Retain Human Resources Generalist through November 27, 2009 in the Amount of \$14,960; Total Contract Amount \$37,928.00

File #47168

2. Contract with Gilmore & Bell, PC to provide Bond Counsel Services (Legal Services) for the Purpose of Providing Funds to Refund One or More of the Following Series of Leasehold Revenue Bonds Issued on Behalf of the City by the City Public Facilities Authority: Series 1997, Series 2002A and Series 2002B in an Amount not to Exceed \$77,562.00

File #47169

3. Contract with Tech Electronics for the Purchase and Installation of a CCTV System for City Hall and Attached Parking Garage in an Amount not to Exceed \$48,495.00

File #47170

F. Preliminary Plats

1. Approval of the Preliminary Plat for Community Freedom Center

File #47171

G. Miscellaneous

1. Approve an On-Premise Electronic Message Sign at 1801 Highway 94 South

File #47172

2. Approve an On-Premise Electronic Message Sign at 3750 New Town Boulevard

File #47173

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3. Request for Transfer of Funds from Council Directives
File #47174
4. Approval of Liquor License Application for Gregory Padavan dba Padavan's NY, LLC Located at 3249 #1 Rue Royale
File #47005
5. Approval of Liquor License Application for Marion Sherman dba Eddie's Pub Located at 416 South Fifth Street
Director of Community Development Bruce Evans responded to an inquiry of Councilmember Bob Kneemiller that *Our Place* is currently located at 416 South Fifth Street.
File #47005

ITEMS REMOVED FROM THE CONSENT AGENDA

Item 9.D.4 Authorization to Negotiate Engineering Services Contract with Crawford, Bunte, Brammeier to Design the Old Highway 94 South Right Turn Lane Project

A motion was made by BOB KNEEMILLER to hold Item 9.D.4 until the July 21, 2009, Regular Council Meeting. MICHAEL WELLER seconded the motion. All voted in favor, motion passed.

REPORT OF THE MAYOR

Transmittal of Capital Improvement Plan (CIP) 2010-2015

The Honorable Mayor Patricia M. York transmitted the Capital Improvement Plan 2010-2015; and read a portion of the Mayor's Message.
File #47175

Appointments to Boards/Commissions

A motion was made by JERRY REESE to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

Board of Adjustment: Re-appointments of Lou Cariffe, Dr. James Hood, Don Garrison, Mary Ann Ohms and William Otto for three-year terms ending in July, 2012

Library Board: Re-appointment of Lisa Pelikan for a three-year term ending in July, 2012

Planning and Zoning Commission: Re-appointments of Mark Hopkins, Barbara Clark and Christopher Bent for three-year terms ending in July, 2012

MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Weller, Ermeling, Feldman, and Klinghammer. "Nay": None. Absent: Beckering. Motion passed.
File #47006

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Written and/or Verbal Messages from the Mayor

Open House Relative to Flood Map Revisions. The Honorable Mayor Patricia M. York announced that the City has scheduled the following open houses in the Cafeteria at St. Charles West High School at 4:30 p.m. to provide information relative to the revisions made by FEMA to the flood maps: Wednesday, July 8, 2009 and Wednesday, July 15, 2009.

Ambassadors of Harmony. The Honorable Mayor Patricia M. York announced that the Ambassadors of Harmony won the Gold Medal on July 3, 2009, at the Barber Shop Harmony Society 71st Annual International Conference.

St. Charles Municipal Band. The Honorable Mayor Patricia M. York announced that the St. Charles Municipal Band will hold concerts in Frontier Park every Thursday night.

St. Charles Community Big Band Jazz Concert. The Honorable Mayor Patricia M. York announced that the St. Charles Community Big Band Jazz Concert is scheduled for Sunday, July 12, 2009, in Frontier Park.

Music on Main. The Honorable Mayor Patricia M. York announced that Music on Main is scheduled for Wednesday, July 15, 2009, on North Main Street.

Hot Summer Nights. The Honorable Mayor Patricia M. York announced that Hot Summer Nights is scheduled for Saturday, July 25, 2009, on Main Street.

St. Charles Star The Honorable Mayor Patricia M. York announced that auditions for the St. Charles Star will be held on Saturday, August 8, 2009.

Riverfest The Honorable Mayor Patricia M. York thanked the Staff and the July 4th Committee for their work on a very successful Riverfest; and thanked the Jaycees for a wonderful July 4th Parade, even though it rained. Councilmembers Laurie Feldman, Michael Weller, Bob Kneemiller, and Erv Ermeling also thanked the Committee for a successful event.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

Mouse Race Benefitting Elijah Wilson. President of the Council requested that Police Officer Donavan Kenton announce the upcoming benefit. Officer Kenton announced that a benefit is scheduled for Saturday, July 11, 2009, for Elijah Wilson, four year old son of Police Officer Juan Wilson, who is battling cancer.

040506070809. Councilmember Bob Kneemiller announced that at 6 seconds past 4:05 a.m. on July 8, 2009, it will be 040506070809; and that this will not be repeated until the year 3009.

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Daughter's Birthday. Councilmember Richard Veit announced that today is his daughter's birthday.

Recycling Can Rollout. Councilmember Laurie Feldman announced that the Recycling Cans on Main Street and in Frenchtown were rolled out on July 1, 2009; and thanked all those who attended.

APPROVAL OF CLOSED MINUTES

A motion was made by BOB KNEEMILLER to approve the following Closed Session Minutes. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Muench, Reese, Stivison, Veit, Weller, Ermeling, Feldman, Klinghammer, and Kneemiller. "Nay": None. Absent: Beckering. Motion passed.

- A. Council Work Session of April 7, 2009, relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- B. Council Work Session of April 21, 2009, relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- C. Council Work Session of May 5, 2009, relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- D. Council Work Session of May 12, 2009, relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- E. Council Work Session of June 2, 2009, relative to legal actions, causes of action, or litigation (RSMo. 610.021.1); hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to legal actions, causes of action, or litigation (RSMo. 610.021.1), leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2), hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3), and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12); with the following results: "Aye": Stivison, Veit,

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
July 7, 2009

Weller, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench. "Nay": None. Absent: Reese and Beckering. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 9:00 p.m.

August 4, 2009
Date Approved

Marilyn K. McCoy
City Clerk

L. Muench
Larry Muench, Presiding Officer